

W.M.
Vol. 7. Pamphlet. Vol. 91.
T E S T,

Offered to the

**CONSIDERATION
OF THE
ELECTORS
OF
GREAT BRITAIN.**

To which is added,
A Vindication of the *Tory* Members, as to
the Clause of the *Hanover* Succession.

A L S O
A REPLY to the Vindication of the
Tory Members.

L O N D O N

Printed: And Sold by *F. Burleigh*, in *Amen-*
Corner. 1714. Price 3 d.



*A Test, offer'd to the Consideration of
the Electors of Great Britain.*

ON *Wednesday*, the 27th of *January*, 1702. In the First Year of Her Majesty's Reign, the House of Commons pass'd a Bill, intitul'd, *An Act for enlarging the Time for taking the Oath of Abjuration, and also for recapacitating and indemnifying such Persons as have not taken the same by the Time, and shall take the same by the time appointed; and the same Day sent it up to the Lords for their Concurrence.*

On *Tuesday* the 9th of *February* following, the Lords return'd the said Bill with some Amendments, to which they desir'd the Commons Concurrence.

On *Saturday* the 13th of *February*, the House of Commons took into Consideration the Amendments made by the Lords; the most material of which, being a Clause for the further Security of the *Protestant Succession* in the *Illustrious*

House of Hanover, is here set down at length, and is as follows:

And for the further Security of Her Majesty's Person, and the Succession of the Crown in the Protestant Line, and for extinguishing the Hopes of the pretended Prince of Wales, and all other Pretenders, and their open and secret Abettors: Be it further Enacted by the Authority aforesaid, That if any Person or Persons, at any time after the First Day of March, 1702, shall endeavour to deprive or hinder any Person, who shall be the next in Succession to the Crown for the Time being, according to the Limitations in an Act, intitled, An Act declaring the Rights and Liberties of the Subject, and settling the Succession of the Crown; and according to one other Act, intitled, An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject, from succeeding after the Decease of Her Majesty (whom God long preserve) to the Imperial Crown of this Realm, and the Dominions
and

and Territories thereunto belonging, according to the Limitation in the beforemention'd Acts; That is to say, such Issue of Her Majesty's Body, as shall from time to time be next in Succession to the Crown, if it shall please God Almighty to bless Her Majesty with Issue, and during the time Her Majesty shall have no Issue, the Princess Sophia, Electress and Dutchess Dowager of Hanover; and after the Decease of the said Princess Sophia, the next in Succession to the Crown for the Time being, according to the Limitation of the said Acts; and the same maliciously, advisedly and directly shall attempt by any Overt Act or Deed: Every such Offence shall be adjudg'd High Treason, and the Offender or Offenders therein, their Abettors, Procurers and Comforters, knowing the said Offence to be done, being thereof convicted or attainted, according to the Laws and Statutes of this Realm, shall be deemed and adjudged Traitors, and shall suffer Pains of Death, and all Losses and Forfeitures, as in Cases of High Treason.

The

The other Amendments were a Clause or Clauses to Enact the Abjuration-Oath to be taken in *Ireland*, in the same Manner as in *England*; and to provide that no Person, who by Reason of his neglect of taking the Oath, had forfeited his Office, &c. to which any other Person had been legally prefer'd, should be restor'd to the same, by any thing contain'd in the Act, as sent up to the Lords.

After Debate, the Question being put for agreeing with the Lords in these Amendments, the House divided.

Yea's, for agreeing with the Lords.

The Right Honourable Lord
Edward Russel.
Sir William Gostick *Bart.*
William Spencer, *Esq;*
Richard Nevill, *Esq;*
Richard Topham, *Esq;*
Sir Owen Buckingham, *Kt.*
Sir Richard Temple, *Bart.*
Sir Edmund Denton, *Bart.*
Charles Godfrey, *Esq;*
Fleetwood Dormer, *Esq;*
Richard Hampden, *Esq;*
James Chase, *Esq;*
Sir Rushout Cullen, *Bart.*
The Right Honourable Henry
Boyle, *Esq;*

No's against agreeing with the Lords.

Sir John Stonehouse, *Bart.*
William Jennens, *Esq;*
Thomas Renda, *Esq;*
Sir Simon Harcourt, *Kt.* Solicitor General.
Simon Harcourt, *Esq;* of Ailesbury.
Sir Henry Parker, *Bart.*
Sir Samuel Garrard, *Bart.*
Richard Crawley, *Esq;*
Granado Pigott, *Esq;*
The Honourable Arthur Annesley, *Esq;*
Sir George Warburton, *Bart.*
Sir Roger Mostyn, *Bart.*
Anthony

Yea's for agreeing with the
Lords.

Anthony Thompson, *Esq*;
 The Honourable Ruffel Roberts
Esq;
 Henry Vincent, *Esq*;
 The Honourable Francis Go-
 dolphin, *Esq*;
 James Craggs, *Esq*;
 Hugh Boscawen, *Esq*;
 Thomas Stanwix, *Esq*;
 James Stanhope, *Esq*;
 William Cowper, *Esq*;
 Peter King, *Esq*;
 Thomas Bere, *Esq*;
 Robert Burridge, *Esq*;
 Sir William Phippard, *Kt.*
 Henry Henly, *Esq*;
 Anthony Henley, *Esq*;
 Sir John Cropley, *Bart.*
 Sir Isaac Rebow, *Kt.*
 Maynard Colchester, *Esq*;
 Richard Dodeswell, *Esq*;
 The Right Honourable Thomas
 Lord Coningsby.
 George Sayer, *Esq*;
 The Hon. Charles Stanley,
Esq;
 Ambrose Pudsay, *Esq*;
 John Chaplain, *Esq*;
 Sir William Ellis, *Bart.*
 Richard Ellys, *Esq*;
 Sir Gilbert Heathcote, *Kt.*
 John Morgan of Tredegar, *Esq*;
 Sir Charles Turner, *Kt.*
 Robert Walpole, *Esq*;
 Sir Thomas Littleton, *Bart.*
 The Hon. Sidney Wottley,
alias Mountague.
 The Honourable Charles Eger-
 ton, *Esq*;
 The Hon. Thomas Wentworth,
Esq;
 Sir Francis Blake, *Kt.*

No's against Agreeing with the
Lords.

Sir Richard Vivian, *Bart.*
 James Buller, *Esq*;
 William Cary, *Esq*;
 The Right Honourable Henry
 Lord Hide.
 William Pole, *Esq*;
 Francis Scobell, *Esq*;
 Sir Henry Seymour, *Bart.*
 Alexander Pendarves, *Esq*;
 John Manley, *Esq*;
 George Granville, *Esq*;
 Henry Flemming *Esq*;
 John Anstis, *Esq*;
 Sir Nicholas Morice, *Bart.*
 John Tredenham, *Esq*;
 Sir William Coryton, *Bart.*
 Sir Christopher Musgrave,
Bart.
 Richard Musgrave, *Esq*;
 Christopher Musgrave, *Esq*;
 John Curzon, *Esq*;
 Thomas Coke, *Esq*;
 John Harper, *Esq*;
 Thomas Coulson, *Esq*;
 John Woolcomb, *Esq*;
 Nicholas Hooper *Serjeant at*
Law.
 Richard Hele, *Esq*;
 James Bulteel, *Esq*;
 Sir Thomas Lear, *Bart.*
 Richard Reynel, *Esq*;
 Frederick Herne, *Esq*;
 Thomas Strangeways, *Esq*;
 Thomas Chaffin, *Esq*;
 Nathaniel Napier, *Esq*;
 The Hon. Henry Thynes, *Esq*;
 George St. Loe, *Esq*;
 Edward Nicholas, *Esq*;
 Richard Fownes, *Esq*;
 Sir Robert Eden, *Bart.*
 Sir Henry Bellasyse, *Kt.*
 Thomas Conyers, *Esq*;
 Sir

Yea's for agreeing with the
Lords.

Sir Henry Liddal, *Bart.*
 William Carr, *Esq;*
 Emanuel How, *Esq;*
 Sir John Delaval, *Bart.*
 Samuel Ogle, *Esq;*
 Jonathan Hutchinson, *Esq;*
 John Thornough, *Esq;*
 Sir Francis Molyneux *Bart.*
 George Gregory, *Esq;*
 Sir Humphry Briggs.
 Sir William Forrester *Kt.*
 George Weld, *Esq;*
 Robert Yate, *Esq;*
 Sir William Danes, *Kt.*
 Edward Clark, *Esq;*
 George Balch, *Esq;*
 The Right Honourable Lord
 William Pawlet.
 George Rodney Bridges, *Esq;*
 Anthony Morgan, *Esq;*
 Robert Mitchel, *Esq;*
 Thomas Dore, *Esq;*
 Paul Burrard, *Esq;*
 Richard Woolaston, *Esq;*
 The Right Honourable John
 Smith, *Esq;*
 Sir Michael Biddulph, *Bart.*
 John Crew Offley, *Esq;*
 Thomas Guy, *Esq;*
 The Honourable Spencer Comp-
 ton, *Esq;*
 Sir Joseph Jekyll, *Kt.*
 Sir Thomas Felton, *Bart.*
 Sir Richard Onslow, *Bart.*
 Charles Cox, *Esq;*
 John Cholmley, *Esq;*
 John Ward, *Esq;*
 Sir Robert Clayton, *Knt.*
 Steven Harvey, *Esq;*
 Denzil Onslow, *Esq;*
 Thomas Onslow, *Esq;*
 Thomas Pelham, *Esq;*

No's against agreeing with the
Lords.

Sir Charles Barrington, *Bart.*
 William Finch, *Esq;*
 John Commings, *Esq;*
 The Right Honourable John
 How, *Esq;*
 William Trye, *Esq;*
 Charles Cox, *Esq;* of Ciren-
 cester.
 Henry Gorges, *Esq;*
 Henry Cornwall, *Esq;*
 Ralph Freeman, *Esq;*
 John Gape, *Esq;*
 Charles Cæsar, *Esq;*
 Richard Goulston, *Esq;*
 Henry Lee, *Esq;*
 Edward Knatchbull, *Esq;*
 William Cage, *Esq;*
 The Honourable Heneage Finch,
Esq;
 Thomas Blifs, *Esq;*
 Thomas King, *Esq;*
 Richard Fleetwood, *Esq;*
 Robert Heysham, *Esq;*
 John Ward, *Esq;* of Newton.
 Thomas Leigh of Lyme, *Esq;*
 The Hon. John Verney, *Esq;*
 Sir George Beaumont, *Bart.*
 James Winstanly, *Esq;*
 Hon. Lewis Dymoke, *Esq;*
 Sir John Thorold *Kt.*
 Sir Thomas Meres, *Kt.*
 Arthur Moore, *Esq;*
 The Honourable William Ce-
 cil, *Esq;*
 The Honourable Charles Bertie,
Esq;
 Hugh Smithson, *Esq;*
 Thomas Cross, *Esq;*
 Sir Francis Child, *Kt.*
 Thomas Blofield, *Esq;*
 Sir Justinian Isham, *Bar.*
 Francis Arundel, *Esq;*

Yea's, for Agreeing with the
Lords.

Sir Nicholas Pelham, *Kt.*
Nathaniel Gould, *Esq;*
Robert Eyre, *Esq;*
Sir John Hawles, *Kt.*
Sir James Ash, *Bart.*
Thomas Jervoise, *Esq;*
Edward Ash, *Esq;*
William Monson, *Esq;*
James Montague, *Esq;*
Charles Mompeston, *Esq;*
William Welsh, *Esq;*
Thomas Wylde, *Esq;*
Charles Cocks, *Esq;*
John Rudge, *Esq;*
The Right Hon. William Lord
Marquiss of Hattington
Sir William Robinson.
Sir William St. Quintin
William Maister, *Esq;*
Christopher Stockdale, *Esq;*
Sir William Hustler, *Kt.*
Sir William Strickland *Bart.*
William Jessop, *Esq;*
Sir Charles Hotham, *Bart.*
William Lowther, *Esq;*
John Pulteney, *Esq;*
Matthew Aylmer, *Esq;*
Philip Papillion, *Esq;*
Sir Henry Furnese, *Kt.*
Sir Arthur Owen, *Bar.*
Griffith Rice, *Esq;*

In all 118.

Tellers for the Yea's

Sir John Holland.
Sir Matthew Dudley.

No's, against agreeing with the
Lords.

John James, *Esq;*
William Levinz, *Esq;*
Sir Robert Jenkinson, *Bart.*
William Bromley, *Esq;*
Thomas Rowney, *Esq;*
Francis Norreys, *Esq;*
The Hon. Charles North, *Esq;*
Richard Holford, *Esq;*
Roger Owin, *Esq;*
John Kynaston, *Esq;*
Richard Mytton, *Esq;*
Sir Edward Acton,
Nathaniel Palmer *Esq;*
Sir Francis Warr, *Bart.*
Sir Thomas Wroth, *Bart.*
Sir Jacob Banks, *Kt.*
George Pit, *Esq;*
Henry Holmes, *Esq;*
William Stevens, *Esq;*
Francis Gwyn, *Esq;*
Edward Bagot, *Esq;*
Joseph Girdler *Serjeant at Law*
Sir Robert Davers, *Kt.*
Margan Randyl, *Esq;*
Thomas Gery, *Esq;*
Henry St. John *Esq;*
Robert Byerly, *Esq;*
The Right Honourable Lord
Viscount Bulkley.
The Right Honourable Thomas
Mansel of Morgan, *Esq;*

In all 117.

Tellers for the No's

Sir Willoughby Hickman, *Kt.*
Richard Crawley, *Esq;*

Note, That the Lord *Wharton*, now Earl of *Wharton*, and Lord Lieutenant of *Ireland*, was the Person who propos'd in the House of Lords the Clause for the further Security of the Protestant Succession, and the other Amendments above mention'd.

To this happy Majority, tho' but of one Vote, we owe so Excellent a Law, so great a strengthening to the Protestant Succession in the Illustrious House of *Hanover*; upon the supporting of which, our Religion and Liberties, and all that's dear to any true *British* Protestant, does entirely depend.

This seeming to be a very Home Thrust, the New Ministry could not but think it necessary to give an Answer to the heinous Charge; and therefore the following Account of that Matter was Publish'd by Authority in the *London Gazette* of the 30th.

*A Vindication of the Tory Members, as to
the Clause of the Hanover Succession.*

W Hereas Two Printed Papers, one entitled, *The Test, offer'd to the Consideration of the Electors of Great Britain* : And the other entitl'd, *A List of the Honourable House of Commons that Voted For and Against the Clause for the Hanover Succession in the Year 1702* ; are lately dispers'd Abroad, wherein are mention'd Amendments made by the Lords to the Bill, entitl'd, *An Act for Enlarging the time for taking the Oaths of Abjuration, and also for Recapacitating and Indemnifying such Persons as have not taken the same by the Time appointed* : And that the House of Commons the 13th of February, 1702, took those Amendments in Consideration.

And whereas after setting forth *Verbatim* the Cause following, *viz.*

And for the further Security of Her Majesty's Person, and the Succession of the

Crown in the Protestant Line, and for extinguishing the Hopes of the Pretended Prince of Wales, and all other Pretenders, and their open and secret Abettors: Be it further Enacted by the Authority aforesaid, That if any Person or Persons, at any time after the First Day of March, 1702, shall endeavour to deprive or hinder any Person, who shall be the next in Succession to the Crown for the time being, according to the Limitations in an Act, Intituled, An Act declaring the Rights and Liberties of the Subject, and settling the Succession of the Crown; and according to one other Act, intituled, An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject, from succeeding after the Decease of Her Majesty (whom God long preserve) to the Imperial Crown of this Realm, and the Domimions and Territories thereunto belonging, according to the Limitation in the beforemention'd Acts: That is to say, such Issue of Her Majesty's Body, as shall from time to time be next in Succession to the Crown, if it shall

shall please God Almighty to bless Her Majesty with Issue, and during the time Her Majesty shall have no Issue, the Princess Sophia, Electress and Dutchess Dowager of Hanover; and after the Decease of the said Princess Sophia, the next in Succession to the Crown for the time being, according to the Limitation of the said Acts; and the same maliciously, advisedly and directly shall attempt by any Overt Act or Deed: Every such Offence shall be adjudg'd High Treason, and the Offender or Offenders therein, their Abettors, Procurers and Comforters, knowing the said Offence to be done, being thereof convicted or attainted, according to the Laws and Statutes of this Realm, shall be deemed and adjudged Traitors, and shall suffer Pains of Death, and all Losses and Forfeitures, as in Cases of High Treason.

And also after setting forth the Substance of other Clauses (other of the said Amendments) it is said Printed Papers, thus, After Debate the Question being put for Agreeing with the Lords in these

these Amendments, it is said, to this happy Majority, tho' but of one Vote, we owe so excellent a Law, so great a Strengthening to the *Protestant Succession* in the Illustrious House of *Hanover*, upon the Supporting of which our Religion and Liberties, and all that's Dear to any *British* Protestant, does entirely depend; now (I being requir'd to certify the Truth of the Fact, as it appears by the Journal of the House of Commons) do humbly certify as followeth, *viz.*

That it does appear by the Journal of the House of Commons, and the Session of Parliament begun in *October*, 1702, as also by the Original Minute-Books thereof, that the said Clause, set forth at large as aforesaid, (and which was mark'd *B*) was agreed to by the House of Commons without any Division thereupon; and that the Division that was in the House upon the 13th Day of *February* (upon which the Numbers of *YEA's* were 118, and *NO's* 117) was upon a Precedent Amendment, *viz.* Upon

on

on a Clause mark'd A, which is as followeth.

‘ Provided always, That no Person or
 ‘ Persons, who by Reason of any such
 ‘ Mistake, Neglect, or Omission, hath
 ‘ or have left or forfeited any Office, Be-
 ‘ nefice, Place, Dignity, or Employ-
 ‘ ment whatsoever, to which any other
 ‘ Person or Persons hath and have been
 ‘ preferred or promoted, shall be restor’d
 ‘ to such Office, Benefice, Place, Digni-
 ‘ ty, or Employment, any therein con-
 ‘ tain’d to the contrary notwithstanding.

And the other Amendments made by
 the Lords to the said Bill were agreed
 to by the House of Commons without
 any Division.

September 29th, 1710.

Paul Jodrell, Clerc. Dom’ Com’.

*A REPLY to the Vindication of the
Tory Members.*

THE first Reply that was made to this was Entitled, *A Letter sent from a Gentleman in the Country*; who was very well acquainted with what pass'd in Parliament concerning the *Test*, to this Effect:

I Don't wonder they are so angry at the *Test*, and their Catching at any Twig to turn it off; if they had Printed the whole Journal, the Fact would have appeared in its true Light; the Division was not actually upon that Clause, for there were Three Amendments, and that was the Second of the Three; and there Losing the Question upon the first, was the Reason of their not Dividing upon all the others, no Body ever Dividing upon three or four Questions in Parliament of the same Nature, when the first is lost, and the *Test* does not depend

pend to say, that the Division was actually upon that particular Clause, but upon the Amendments, which were all of the same Nature, tho' that was the most material, but the Debate ran upon them all, and particularly upon this Clause; upon which, Sir *Christopher Musgrave* said in the Debate, That he could never agree to make new Treasons by a particular Clause tackt to a Bill. In Answer to which, Sir *J. J—l* said, He wonder'd to hear that Gentleman make that Objection, who had been so warm but the Year before, just before the King's Death, to tack a Clause of the same Nature, in Favour of the Princess ANNE of *Denmark*, to the Abjuration-Bill.

But the following Letter being much more particular, in Answer to *Jodrell's* Account, as well as that Sign'd by Dr. *Smallridge*, and Mr. *Cross*, call'd, *A Detection of Falshood*, &c. of less Authority than the other, it's thought proper to insert it here in *totidem Verbis*.

Another more ample Reply.

S I R,

I Have seen a Paper that was lately Published, which is Sign'd by George Smallridge, D. D. and Tho. Crosse, called, *A Detection of a Falshood endeavour'd to be impos'd on the Publick, in a Paper entitl'd, A Test, offer'd to the Consideration of the Electors of Great Britain.* I have also seen an Account of the same Matter Printed in the *Gazette* of the 30th of *September*, and Sign'd by Mr. *Jodrell*; but having been my self in the House when that Matter was transacted, I beg Leave to acquaint you with some Particulars, by which it will plainly appear to you, that the first Account is Equivocating, and the second Imperfect.

When the House of Commons Proceeded (according to Order) to take into Consideration three Amendments, made by the Lords to a Bill Intituled, *An Act for Enlarging the time for taking the*
Oath

Oath of Abjuration &c. the Debate was chiefly held upon the subject matter of the second Amendment, and those Gentlemen that were against giving that Security to the House of *Hanover*, Principally insisted on the Danger of Multiplying Treasons, the great Inconveniencies that might arise from making new Treasons, and other Arguments to that Effect, but tho' hardly any Notice was taken of the first Amendment, it was in Course to be first put, and now comes the great Art and Parliamentary Skill of those Persons that were against the second Amendment, they Resolv'd (according to the most usual Piece of Management in that House) to try their Numbers by dividing upon the first, but that was so little thought to be the Business of the Day, or indeed of the first Division it self, that Two or Three Staunch Old Members when out just before the Division, having some particular Views at that time which made it Inconvenient for them to declare against the *Protestant* Succession,

Succession, and those of their Friends who staid the Division, and whose Names are set forth in the Printed Test under the Title, *NO's against agreeing with the Lords*, may strictly and properly be said, in Parliamentary Language to have divided against the Amendments, the rather because few Instances can be given, that ever the weaker Side upon loosing such a Previous Question divided again, upon any subsequent Clause that had been mixt in the same Debate.

But, I believe, there's no Body alive that does not think, If they had thrown out the first Amendment, they would immediately have Proceeding to throw out the second; and there were two Circumstances attending this Affair, which must needs put it out of all Doubt how it was understood both Abroad and Within the House, Mr. *Dyer*, the Common News-Writer, express'd himself thus in his Letter to *Chester* upon this Occasion, *That the Prince of Wales had lost it in the House only by one Vote;*

Or,

Or, That the House of Hanover had carry'd it but by one Vote : One of them I am sure it was ; for which he was punished by the House, upon the Complaint of a Member for that City : And to shew what the Members thought of it, the only Gentleman that gave a Negative to the first Bill for Establishing the Protestant Succession, who was then of that House, tho' soon after call'd up to the other, saluted Sir M. Dud——y, when this Division was over, in these Words, *How fare you Mynheer D——y ?* Upbraiding him by that Expression for having Voted for the Interest of the House of *Hanover*, which the late King and the *Dutch* had espoused. To which the other reply'd, *Fort bien Monsieur Gran——lle*, Alluding by that to his Vote, which he took to be for the *French* Interest, as well as to his *French* Name, which had been changed not many Years before from a plain *English* one, as it is still Printed in the History of the Earl of *Clarendon*.

IF

If I should say therefore, That these Gentlemen were not for Throwing out the Second Amendment, it would, perhaps, be a Logical Truth, because they did not just divide upon that Clause, but it would be a Mortal Lye, and a Fallacy that I ought to be ashamed of, because every Step they took that Day, was in Order to throw it out, and they went the best way to work they could, so that after all the Clamour which has been rais'd against the Test beforemention'd, since that Paper does not affirm that the Division was upon this Clause, but that after Debate, the Question being put for agreeing with the Lords in these Amendments, the House divided as actually they did, it is left to every Impartial Person who knows any thing of Parliamentary Proceedings, to determine whether the Charge which is set forth against them in that Paper stands good or not, and whether they should upon this occasion, the same abhorrence of the *Pretender*, and
the

the same Zeal for the House of *Hanover*, which has Flam'd out indeed in the late Addresses, but which (if one may use the Expression of a very Great Minister in another Nation) has rather amaz'd than convinc'd the World.

F I N I S.

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